

### **REMARKS**

This paper is being provided in response to the Final Office Action dated December 9, 2008, for the above-referenced application. In this response, Applicants have amended claims 1, 8, 13, 16, 19 and added new claims 21-25 to clarify that which Applicants consider to be the presently-claimed invention. Applicants respectfully submit that the amendments to the claims and the new claims are fully supported by the originally-filed specification, consistent with the discussion herein.

The rejection of claims 1-5, 8-12, 14-18 and 20 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent App. Pub. No. 2002/0047867 to Mault, et al. (hereinafter "Mault") is hereby traversed and reconsideration is respectfully requested in view of the amendments to the claims contained herein.

Independent claim 1, as amended herein, recites a mobile communication terminal includes image shooting means for shooting an image. Image data memory means stores data of a code image shot by the image shooting means. Image data analyzing means analyzes the data of the code image to obtain code data from the code image. Control means controls at least one of: the image shooting means, the image data analyzing means and said image data memory means. Application program executing means executes an application program using the code data, wherein the control means controls at least one of: the image shooting means, the image data analyzing means and the image data memory means based on a control request instruction sent from said application program executing means that is executing the application program, wherein the control request instruction corresponds to the code data. Execution of the

application program by the application program executing means is placed in a blocked state upon the sending of the control request instruction, the blocked state being cancelled and execution of the application program resumed upon receipt of a notification from the control means. Claims 2-7 and new claim 21 depend directly or indirectly from independent claim 1.

Independent claim 8, as amended herein, recites a mobile communication terminal including an imaging device that obtains a code image and a memory coupled to the imaging device that stores the code image. An analyzer is coupled to the memory and analyzes the code image and obtains code data from the code image. A processor is coupled to the analyzer and executes an application program, wherein the processor executes the application program using the code data. A controller is coupled to at least one of: the imaging device, the memory and the analyzer, wherein the controller controls the at least one of: the imaging device, the memory and the analyzer according to information received from the application program, wherein the information corresponds to the code data, and wherein execution of the application program by the processor is placed in a blocked state upon sending the information from the application program, the blocked state being cancelled and execution of the application program resumed upon receipt of a notification from the controller. Claims 9-15 and new claim 22 depend directly or indirectly from independent claim 8.

Independent claim 16, as amended herein, recites a method of operating a mobile communication terminal including obtaining a code image using an imaging device of the mobile communication terminal and storing the code image in a memory of the mobile communication terminal. The code image is analyzed to obtain code data from the code image. An application program is executed using the code data obtained from the code image. The method further

includes controlling at least one of: the obtaining of the code image, the storing of the code image and the analyzing of the code image according to information from the application program, wherein the information corresponds to the code data, and wherein execution of the application program is placed in a blocked state upon sending the instruction from the application program, the blocked state being cancelled and execution of the application program resumed upon receipt of a notification. Claims 17-20 and new claim 23 depend directly or indirectly from independent claim 16.

The Mault reference discloses a system for image based diet logging. An optical image sensor records food images in a memory of an electronic device. The images are used to identify the foods from the images and food item identifies are selected and recorded to create a log of food items consumed. (See, for example, Abstract and Figures 2 and 3 of Mault).

Applicants have amended independent claim 1 herein to recite features that execution of the application program by the application program executing means is placed in a blocked state upon the sending of the control request instruction, the blocked state being cancelled and execution of the application program resumed upon receipt of a notification from the control means. For features support and illustrative explanation, Applicants refer, for example, to page 20, lines 1-25 of the originally-filed specification. Applicants have found that the above-noted features provide for an advantage in that the application program is not interrupted by another request while the control unit is recording and analyzing a code image.

Applicants submit that Mault's disclosure is entirely silent as to features like that recited above. In particular, Applicants submit that Mault is silent as to control features involving

application program execution suspending and resuming based on issuance of a notification from a control unit like that recited by Applicants. Independent claims 8 and 16 have also been amended to recite features similar to those discussed above with respect to claim 1 and submit that the arguments set forth above also may also be applied to these claims, and the claims depending therefrom. In connection with the above-noted remarks, Applicants also note the new claims 21-23 that depend from independent claims 1, 8 and 16. Accordingly, Applicants respectfully submit that Mault does not teach or fairly suggest at least the above-noted features as recited by Applicants. In view of the above, Applicants respectfully request that the rejection be reconsidered and withdrawn.

The rejection of claims 6, 13 and 19 under 35 U.S.C. 103(a) as being unpatentable over Mault in view of U.S. Patent App. Pub. No. 2002/0083022 to Algazi (hereinafter "Algazi") is hereby traversed and reconsideration is respectfully requested in view of the amendments to the claims contained herein.

The features of independent claims 1, 8 and 16 are discussed above in connection with Mault. Claims 6, 13 and 19 depends therefrom.

The Algazi reference discloses a system and method for mail security. The Office Action cites to Algazi as disclosing bar codes containing access key information, citing specifically to paragraph 0023 of Algazi.

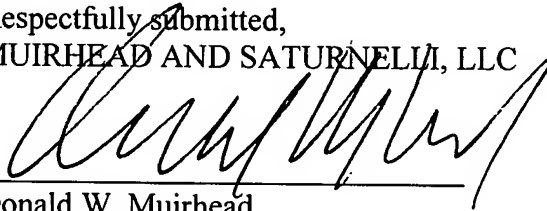
Applicants respectfully submit that Algazi does not overcome the above-noted deficiencies of the Mault reference with respect to the presently claimed invention. Algazi does

not disclose, nor is Algazi cited in the Office Action in connection with, Applicants' recited features that are discussed above with respect to Mault. Accordingly, Applicants respectfully submit that Mault and Algazi, taken alone or in combination, do not teach or fairly suggest at least the above-noted features as claimed by Applicants. In view of the above, Applicants respectfully submit that the rejection should be reconsidered and withdrawn.

Further, in addition to the above-noted arguments, Applicants submit that Algazi does not disclose the permission/non-permission information or use thereof that is recited by Applicants. The Office Action, citing to paragraph 0026 of Algazi, notes that Algazi discloses a barcode that can be used as a key to access information. Specifically, Algazi states that the "key" information taken from the barcode may be used to provider to match that key information to information possessed by the provider, such as characteristics of the user. The Office Action concludes that such a key as being use permission/non-permission information like that recited by Applicants. However, Algazi's key that is used as a comparison with other stored data (by a provider) to determine whether access is authorized, does not disclose the information that includes use permission/non-permission information which specifies a permitted/non-permitted use of the code data in the application program like that recited by Applicants. That is, as clarified by amendments herein, Applicants' recited permission/non-permission information itself specifies whether use is permitted; unlike Algazi's key that is used to match with other stored information and the comparison thereof determining whether use of data is permitted. Accordingly, for this reason, Applicants submits that claims 6, 13, 19 are allowable over the cited prior art in addition to the other arguments set forth above.

Additionally, Applicants have added new dependent claims 21-23 and respectfully submit that these claims are allowable over the cited prior art in accordance with the discussion herein. Applicants have also added new independent claims 24 and 25 and submit that these claims are allowable over the cited prior art in accordance with the discussion herein and specifically in reference to the discussion above of claims 6, 13 and 19 in view of Mault and Algazi.

Based on the above, Applicants respectfully request that the Examiner reconsider and withdraw all outstanding rejections and objections. Favorable consideration and allowance are earnestly solicited. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 508-898-8603.

Respectfully submitted,  
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Date: April 22, 2009

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